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International Covenant on Civil and Political Rights

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Human Rights Committee

Views adopted by the Committee under article 5 (4) of the Optional Protocol, concerning communication No. 2530/2015*, **, ***

Communication submitted by:	F and G (represented by the Danish Refugee Council)
Alleged victims:	F, G and their three minor children
State party:	Denmark
Date of communication:	8 January 2015 (initial submission)
Document references:	Decision taken pursuant to rule 97 of the Committee's rules of procedure, transmitted to the State party on 14 January 2015 (not issued in document form)
Date of adoption of decision:	16 March 2017
Subject matter:	Removal of the authors to Egypt
Procedural issues:	Admissibility — manifestly ill-founded; admissibility — *ratione materiae*
Substantive issues:	Risk of arbitrary detention and cruel, inhuman or degrading treatment or punishment in country of origin
Articles of the Covenant:	7, 9 and 18 (1)
Articles of the Optional Protocol:	2

* Adopted by the Committee at its 119th session (6-29 March 2017).

** The following members of the Committee participated in the examination of the communication: Tania María Abdo Rocholl, Yadh Ben Achour, Ilze Brands Kehris, Sarah Cleveland, Olivier de Frouville, Christof Heyns, Yuji Iwasawa, Bamariam Koita, Marcia V.J. Kran, Duncan Laki Muhumuza, Photini Pazartzis, Mauro Politi, José Manuel Santos Pais, Anja Seibert-Fohr, Yuval Shany and Margo Waterval.

*** A joint opinion by Committee members Yuval Shany and Christof Heyns (dissenting) is annexed to the present Views.

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1.1 The authors of the communication are F and G, nationals of Egypt currently residing in Denmark. The authors were born in 1967 and 1985, respectively, and are married to each other. They submit the communication on behalf of themselves and their three minor children, who were born in 2008, 2009 and 2014. Following the rejection of their applications for refugee status in Denmark, the authors are subject to removal. They assert that the State party would violate their rights under articles 7, 9 and 18 (1) of the Covenant by removing them to Egypt. The first Optional Protocol entered into force for Denmark on 23 March 1976. They are represented by counsel.

1.2 On 14 January 2015, pursuant to rule 92 of its rules of procedure, the Committee, acting through its Special Rapporteur on new communications and interim measures, granted the authors' request for interim measures to stay their removal to Egypt while the communication is under consideration by the Committee. On 4 June 2016, the Committee denied the State party's request to lift the interim measures. The authors remain in Denmark.

Facts as presented by the authors

2.1 The authors are Coptic Christians. During childhood, G was subjected to female genital mutilation. As an adult, G became close with a young female neighbour and frequently spoke to her about religion. G gave the neighbour a Bible and put her in contact with a priest. Later, the neighbour fell in love and ran away with a Christian man without her family's permission. As a result, the neighbour's father, who was associated with Salafists (members of the Muslim Brotherhood), came to the authors' home and violently threatened them. Many Salafists consider Coptic Christians to be disbelievers. In addition, facilitating conversion to Christianity is a serious crime in Egypt.[1] Under the Egyptian Penal Code, individuals who propagate extreme thoughts may face imprisonment for up to five years.

2.2 F was arrested and detained in a prison in Alexandria for 15 days. He was told that he had been detained because he was a Christian and a disbeliever. His cell was very small (2 by 1.5 square metres). He was sometimes removed from the cell and transferred to another police station in town to undergo fingerprinting and other examinations. He was subjected to substantial physical and psychological violence. Specifically, every six to eight hours, prison guards kicked him and beat him with either their hands or sticks. On many occasions, they removed his shirt and beat his torso, while at other times, they inflicted blows to his head, back and arms. On three occasions, the guards stripped him completely and beat him, while cursing him and accusing him of being a disbeliever. They also tried to force sticks into his anus. He was beaten so severely that he fell down and lay naked on the cement floor, where the guards kicked him. When he tried to protect himself, the beatings became more forceful. These acts of torture left him with scars on his back and severe physical and mental health problems, including heart problems for which he has had several operations.[2] Owing to the offensive nature of the abuse he endured, he did not inform his wife about it.

2.3 After F's release from prison, the authors moved in with G's parents for several months. Salafist men associated with the Muslim Brotherhood came twice to G's parents' house to look for the authors, who managed to hide. One day, when G went out to pick up medicine for F, she was approached by three men who attempted to rape her. Fortunately, passers-by came to her rescue when she yelled for help. Because G's assailants mentioned the name of her neighbour several times, the incident was not a random act of violence. G did not tell F or her parents about this incident. Eventually, the authors fled and stayed for

[1] See United States of America, Department of State, "International religious freedom report for 2013 — Egypt" (28 July 2014).

[2] The authors have not provided the Committee with any medical documentation. During their interview with the Immigration Service, both authors stated that, after F's release from prison, he was admitted to hospital owing to heart problems. G stated that F was hospitalized for two weeks at that time and had open-heart surgery to remove three blood clots. F stated that he had undergone surgery to remove a blood clot, and suffered from diabetes, high cholesterol and high blood pressure. F also stated that he had back pain owing to the beatings. F stated during his interview with the Immigration Service that he had been examined by a doctor in Denmark.

several months in a monastery in Alexandria before leaving the country on an unspecified date.

2.4 The authors arrived in Denmark on 19 February 2014 and applied for asylum the next day. On 26 June 2014, the Danish Immigration Service denied their asylum applications. On 16 December 2014, the Refugee Appeals Board denied their appeals. In its decision, the Board denied F's request to postpone the case so that he could undergo a medical examination for signs of torture. The authors maintain that they have exhausted all domestic remedies, since the Board's decision may not be appealed to the Danish courts, and that they have not submitted the same matter for consideration to another international complaint mechanism.

The complaint

3.1 The authors assert that the State party would violate their rights under articles 7, 9 and 18 (1) of the Covenant by forcibly removing them to Egypt, where they risk being subjected anew to religious persecution, and where F also risks being subjected to torture and arbitrary arrest owing to G's involvement in her neighbour's conversion to Christianity.

3.2 Although Christianity is recognized as a religion in Egypt, helping someone to convert from Islam to Christianity is a punishable offence, and persecution of Christian Copts is increasing. On 1 January 2011, a car bomb detonated at the Al-Qiddissin Coptic church in Alexandria, just as congregants were exiting the church. Some 21 individuals were killed, and about 70 were injured. In April 2013, six Coptic Christians and one Muslim individual were killed during a sectarian clash in Al-Khosous, Al-Qalyubiyah. At the subsequent funeral, riots broke out and a Coptic Christian and a Muslim were killed. Video recordings of the incident show that the police failed to stop people from throwing rocks and bottles at the cathedral in which the funeral was held.

3.3 Although the Board found that the authors' accounts were inconsistent and not credible, the authors have suffered enormous trauma, and F has resulting memory and other health problems. The inconsistencies between their accounts are therefore understandable. In addition, chronological inconsistencies between the authors' narratives can be explained by the fact that the authors use the Coptic calendar, which differs considerably from the Gregorian calendar. Moreover, although the events the authors describe were not always in chronological order, the authors have always described the events themselves consistently. The Committee against Torture has stated that complete accuracy is seldom to be expected from victims of torture.

State party's observations on admissibility and the merits

4.1 In its observations dated 14 July 2015, the State party provides extensive information on domestic asylum procedures,[3] and explains the basis for the findings of the Board. The Board observed that the authors had made inconsistent statements concerning the manner in which they had discovered that their apartment had been vandalized, and the length of time they had stayed with F's parents before moving to a monastery. Although the Board accepted as fact that G lent a Bible to her neighbour and helped her to contact a priest, it considered that these activities could not be characterized as missionary work owing to their limited nature. Moreover, G was not interviewed by the police about this matter, and loaned the Bible at the end of 2012 but stayed in Egypt until January 2014. The Board did not accept as facts the authors' remaining claims, including F's claim that he had been detained and tortured. Noting that the Muslim Brotherhood is considered a terrorist organization in Egypt, the Board stated that general conditions for Coptic Christians in Egypt did not independently justify granting asylum.

4.2 The Board does not initiate examinations for signs of torture when it does not accept as facts the asylum seekers' grounds for asylum. In this case, the Board did not accept as fact F's claim that he had been detained and subjected to torture. On this basis, the Board

[3] See communication No. 2379/2014, *Ahmed v. Denmark*, Views adopted on 7 July 2016, paras. 4.1-4.4.

considered that there was no basis for postponing the case in order to allow F to undergo a medical examination for signs of torture.

4.3 The State party considers that the communication is inadmissible because it is manifestly unfounded. The authors have not established that there are substantial grounds for believing that their rights under articles 7, 9 or 18 (1) would be violated if they were returned to Egypt. The Board included all relevant information in its decisions. According to the Committee's jurisprudence, significant weight should be given to the State party's assessment, unless it is found that this evaluation was clearly arbitrary or amounted to a denial of justice. The authors are attempting to use the Committee as an appellate body to have the factual circumstances of their claim reassessed.

4.4 Concerning their claims under articles 7 and 18 (1), the authors made several materially inconsistent statements at various times during the asylum process concerning: the incidents that caused F to be hospitalized; the number of times F was admitted to hospital; the vandalism of their apartment; when F had surgery; where the authors had stayed after F's discharge from hospital; and the amount of time they had spent at various locations before leaving Egypt. Specifically, on different occasions: (a) the authors provided three different responses concerning where they went after F's discharge from hospital (G stated that they had returned to their apartment at that time, and on another occasion stated that they had gone instead to her parents' house, whereas F stated that they had gone to the residence of F's parents' relatives); (b) G alternately stated that the authors had learned that their apartment had been vandalized when they had returned to the apartment themselves, when the cafeteria staff had called them, and when the caretaker of the apartment had called them; (c) F alternately stated that he had not returned home after the vandalism, and that he had been personally present during the vandalism;[4] (d) whereas F stated that he had been hospitalized twice (once upon his release from prison owing to heart problems, and later in order to have open-heart surgery for artery replacement), G stated that F had also been hospitalized after fainting owing to an incident at the beginning of the New Year (specifically, while staying with G's parents, the authors had found a wrecked car in front of the house with a threatening letter stating, "We will not leave you in peace, and you will never see your children again"); (e) although G had not previously raised this allegation, she stated before the Board that, while the authors were staying with her parents, members of the Muslim Brotherhood had assaulted her and her family on two occasions, and that on the second occasion, they had beaten G's mother after forcing their way into the house, thereby causing F to suffer another blood clot (this allegation was not raised by F); and (f) F stated that the authors had stayed at the monastery outside Alexandria for 21 days in January 2014 until they left Egypt, whereas G stated that they had stayed at the monastery for several months. These inconsistencies are not simply a matter of chronology and relate to crucial elements of the authors' claims. In particular, the vandalism of the authors' apartment constitutes such a critical element of their claim that they should be able to describe the manner in which they learned about it without material inconsistencies. The State party echoes the Board's finding that the assistance G provided to her neighbour does not qualify as missionary activity and is not in and of itself a ground for asylum.

4.5 Regarding F's claim under article 9 of the Covenant, the Committee has not considered that this provision has extraterritorial effect. The European Court of Human Rights has stated that, in order for the prohibition on arbitrary detention to apply in a case involving removal, the applicant would have to face a real risk of a flagrant breach of this prohibition, and that the threshold for this test is high.[5] The authors have failed to meet this high threshold.

4.6 The authors' claim under article 18 (1) is inadmissible *ratione loci* and *ratione materiae*. Denmark cannot be held responsible for violations of article 18 that another State

[4] The State party maintains that in order to explain this inconsistency to F, the interpreter made a drawing to show the two sequences of events by arrows and indications of time in Arabic, and F then stated that he had not been in the flat when it was vandalized.

[5] The State party cites *Othman (Abu Qatada) v. the United Kingdom* (application No. 8139/09), judgment of 17 January 2012.

is expected to commit outside the territory and jurisdiction of Denmark. The European Court of Human Rights has stressed the exceptional character of the extraterritorial protection of the rights contained in the Convention for the Protection of Human Rights and Fundamental Freedoms. It also follows from the Court's jurisprudence that because a violation of article 18 by another State would not cause the type of irreparable harm contemplated by articles 6 and 7 of the Covenant, article 18 should not have extraterritorial application.[6]

4.7 The State party also considers that the communication is without merit, for the reasons stated above and because general conditions for Coptic Christians in Egypt do not in and of themselves justify a finding that the authors are entitled to asylum. According to the United States Commission on International Religious Freedom, as stated in its 2015 annual report,[7] President Abdel Fattah al-Sisi of Egypt had encouraged religious tolerance in public statements since he had assumed office in June 2014. This represents a significant shift in tone from that of his predecessors. In addition, in its report on international religious freedom in 2013,[8] the Bureau of Democracy, Human Rights and Labor stated that representation of Coptic Christians in the public sector had improved since former President Mohamed Morsi had been removed from office. The State party refers to other reports suggesting that conditions for Coptic Christians in Egypt may be difficult, but have improved under the current regime.[9]

Authors' comments on the State party's observations

5.1 In a submission dated 30 November 2015, the authors refer to their claim under article 9 and assert that they cannot live freely in Egypt because of their Christian faith and their conflict with their neighbours. Coptic Christians in Egypt continue to be persecuted by militant groups. Some 21 Coptic Christians were recently executed by Islamic State in Iraq and the Levant in neighbouring Libya.[10]

5.2 According to the authors' counsel, G recently informed her priest in Denmark that her father, mother, sister and brother in Egypt were forced to flee to a nearby church five months earlier because they had been in danger of being attacked by Salafists and members of the Muslim Brotherhood. The Government of Egypt is unwilling and unable to protect them. The increasing persecution of the authors' family members indicates a heightened risk for the authors should they return to Egypt.

5.3 The Board did not deny that F was subjected to physical and psychological abuse. The authors reiterate their claims concerning the context in which F's assertions should be interpreted, given that he has been tortured. Through circular reasoning, the Board found that F was not credible, while simultaneously refusing to allow adjournment of the hearing to permit him to be medically examined. This demonstrates that the decision-making process was irregular in the authors' case.

5.4 Concerning article 18 (1), the Committee has previously found claims under this provision to be admissible where the author adequately explains the reasons for which

[6] The State party refers to *Z and T v. the United Kingdom* (application No. 27034/05), decision of 28 February 2006.

[7] www.uscirf.gov/sites/default/files/Egypt%202015.pdf.

[8] Department of State, "International religious freedom report for 2013 — Egypt".

[9] See Council of Europe, "Threats against humanity posed by the terrorist group known as 'IS': violence against Christians and other religious or ethnic communities", Parliamentary Assembly document 13618 (30 September 2014); and Freedom House, *Freedom in the World 2014 — Egypt* (23 January 2014).

[10] See Rose Troup Buchanan, "Coptic Christians: who are they — and why have they been targeted by Isis in beheading video?", *Independent* (London), 16 February 2015. The author states, "Amnesty International's Egyptian research[er] Mohammed Elmessiry told *The Independent*: 'The discrimination is not in all parts of the country but it exist[s] in some parts of the country' ... He added that Amnesty had recorded 'four or five' separate incidences involving persecution against Copts.".

forcible return to another country would result in a risk of treatment incompatible with article 7 of the Covenant.[11]

State party's additional observations

6.1 In observations dated 30 June 2016, the State party considers that the authors' new allegation that G's family is staying in a local church owing to persecution cannot be taken into account because it has not been substantiated.

6.2 The reasoning of the Board is not circular, because it found the authors' statements to lack credibility owing to their lack of consistency. It was on this basis that the Board decided not to adjourn the case to allow F to be medically examined.

Issues and proceedings before the Committee

Consideration of admissibility

7.1 Before considering any claim contained in a communication, the Committee must decide, in accordance with rule 93 of its rules of procedure, whether the claim is admissible under the Optional Protocol.

7.2 The Committee notes, as required under article 5 (2) (a) of the Optional Protocol, that the same matter is not being examined under another procedure of international investigation or settlement.

7.3 The Committee notes the authors' claim that they have exhausted all effective domestic remedies available to them. In the absence of any objection by the State party in that connection, the Committee considers that the requirements of article 5 (2) (b) of the Optional Protocol have been met.

7.4 The Committee notes the authors' claims that they would face torture if they were removed to Egypt because they are Coptic Christians and because they had a conflict with their neighbour, who threatened them at their home. The Committee also notes the authors' assertion that F was arbitrarily detained and tortured in Egypt and risks facing the same treatment if he returns, but was not permitted by the Board to postpone his hearing in order to undergo a medical examination for signs of torture. The Committee also takes note of G's claim that she was subjected to assault and attempted rape by men associated with the authors' neighbour. The Committee also notes the State party's observations that the authors' claims are manifestly unfounded, and that their claims under articles 9 and 18 (1) are inadmissible *ratione materiae* and *ratione loci*.

7.5 The Committee takes note of the State party's argument that the Board found that, owing to multiple inconsistencies in their statements, the authors were not credible concerning the risk of harm they alleged they would face in Egypt. The Committee also takes note of the authors' assertion that these inconsistencies were due in part to the trauma that they had endured. The Committee considers that the authors have provided sufficient explanations as to the reasons for which they fear that forcible return to Egypt would result in a risk of treatment incompatible with article 7 of the Covenant. They have also argued that the Board denied them the opportunity to provide medical evidence to substantiate their claims regarding the torture that F endured in detention. The Committee therefore considers that, for the purposes of admissibility, the authors have sufficiently substantiated their allegations under article 7.[12]

7.6 As for the authors' claims under articles 9 and 18 (1) regarding the risk of arbitrary detention that F would face in Egypt, and the risk that both authors would face in Egypt owing to their adherence to the Coptic Christian faith and the particular situation of the family, the Committee considers that these claims cannot be dissociated from the authors'

[11] See communications No. 2186/2012, *X and X v. Denmark*, Views adopted on 22 October 2014; and No. 2053/2011, *B.L. v. Australia*, Views adopted on 16 October 2014.

[12] See communication No. 2347/2014, *K.G. v. Denmark*, Views adopted on 22 March 2016, para. 6.4.

allegations under article 7.[13] Accordingly, the Committee declares the communication admissible and proceeds with its consideration of the merits.

Consideration of the merits

8.1 The Committee has considered the communication in the light of all the information submitted to it by the parties, in accordance with article 5 (1) of the Optional Protocol.

8.2 The Committee recalls its general comment No. 31 (2004) on the nature of the general legal obligation imposed on States parties to the Covenant, in paragraph 12 of which it refers to the obligation of States parties not to extradite, deport, expel or otherwise remove a person from their territory when there are substantial grounds for believing that there is a real risk of irreparable harm, such as that contemplated in articles 6 and 7 of the Covenant.[14] The Committee has also indicated that the risk must be personal and that there is a high threshold for providing substantial grounds to establish that a real risk of irreparable harm exists.[15] Thus, all relevant facts and circumstances must be considered, including the general human rights situation in the author's country of origin.[16] The Committee recalls that it is generally for the organs of States parties to examine the facts and evidence of the case in order to determine whether such a risk exists, unless it can be established that the assessment was clearly arbitrary or amounted to a manifest error or denial of justice.[17]

8.3 The Committee notes the finding by the Board that, owing to inconsistencies in their statements, the authors were not credible concerning the risk of harm they allege they would face in Egypt. The Committee notes in this respect the authors' assertion that these inconsistencies were due in part to the trauma that they have endured. The Committee considers that notwithstanding the inconsistencies highlighted by the State party, the domestic decision makers did not provide any analysis of G's allegations that three men had attempted to rape her in connection with her conflict with her neighbour and of F's detailed assertions that he had been brutally tortured and sexually assaulted by the Egyptian authorities. Furthermore, the inconsistencies in the authors' factual allegations pointed to by the State party did not go to the core of the authors' claims regarding the personalized risk linked both to the authors' membership of a vulnerable group and the abuse they suffered as a result of the neighbour's religious conversion.

8.4 Given the serious nature of the allegations and F's claim that he retained scars from the beatings, the Committee also considers that the Board should have allowed F to be medically examined in order to afford him the opportunity to substantiate his claim.

8.5 The Committee therefore considers that the Board did not adequately examine the authors' claims concerning the reasons for which they fled Egypt. Against the background concerning the continuing situation of the Coptic community in Egypt referred to by the authors, the Committee considers that under the totality of the circumstances, the authors have presented compelling evidence to indicate that their return to Egypt would be accompanied by a personal and real risk of irreparable harm, such that the State party would violate their rights under article 7 of the Covenant by removing them to Egypt.

8.6 In the light of these findings, the Committee does not deem it necessary to examine separately the authors' claims under articles 9 and 18 (1).

9. The Committee, acting under article 5 (4) of the Optional Protocol, is of the view that the authors' removal to Egypt would violate their rights under article 7 of the Covenant.

10. In accordance with article 2 (1) of the Covenant, which establishes that States parties undertake to respect and ensure to all individuals within their territory and subject to their

[13] See communication No. 2291/2013, *A and B v. Denmark*, Views adopted on 13 July 2016, para. 7.4.

[14] See communication No. 2357/2014, *A v. Denmark*, decision adopted on 30 March 2016, para. 7.4.

[15] See, inter alia, communication No. 2291/2013, para. 8.3.

[16] See, inter alia, communications No. 2474/2014, *X v. Norway*, Views adopted on 5 November 2015, para. 7.3; No. 2366/2014, *X v. Canada*, Views adopted on 5 November 2015, para. 9.3.

[17] See, inter alia, communications No. 2559/2015, *I.M.Y. v. Denmark*, decision adopted on 14 July 2016, para. 7.6; and No. 2393/2014, *K v. Denmark*, Views adopted on 16 July 2015, para. 7.4.

jurisdiction the rights recognized in the Covenant, the State party is under an obligation to review the authors' claims, taking into account the State party's obligations under the Covenant and the present Views. The State party is also requested to refrain from expelling the authors to Egypt while their requests are under reconsideration.

11. Bearing in mind that, by becoming a party to the Optional Protocol, the State party has recognized the competence of the Committee to determine whether there has been a violation of the Covenant and that, pursuant to article 2 of the Covenant, the State party has undertaken to ensure to all individuals within its territory and subject to its jurisdiction the rights recognized in the Covenant, the Committee wishes to receive from the State party, within 180 days, information about the measures taken to give effect to its Views. The State party is also requested to publish the Committee's Views.

Annex

Joint opinion of Committee members Yuval Shany and Christof Heyns (dissenting)

1. We regret that we are unable to join the majority on the Committee in finding that, in deciding to deport the authors, Denmark would, if it implemented the decision, violate its obligations under article 7 of the Covenant.

2. In paragraph 8.2 of the Views, the Committee recalls that: "it is generally for the organs of States parties to examine the facts and evidence of the case in order to determine whether such a risk exists, unless it can be established that the assessment was clearly arbitrary or amounted to a manifest error or denial of justice". Despite this, the majority of the Committee rejected the factual conclusion of the Immigration Service and the Refugees Appeals Board that the authors failed to establish grounds for asylum because their allegations about their persecution and ill-treatment in Egypt lacked credibility (para. 4.4), and because the general situation of Coptic Christians in Egypt had improved in recent years (para. 4.7). Instead, the majority criticized the State party for failing to "adequately examine the authors' claims concerning the reasons for which they fled Egypt" and considered that "under the totality of the circumstances, the authors have presented compelling evidence to indicate that their return to Egypt would be accompanied by a personal and real risk of irreparable harm" (para. 8.5).

We disagree with the analysis offered by the majority. All of the allegations raised by the authors were thoroughly considered by the Immigration Service and the Board and rejected as lacking in credibility because of serious inconsistencies in the authors' statements (para. 4.4), and the improbability of key elements in their version of events that seemed to the Danish authorities as "designed for the occasion".[1] For example, the Board did not accept as facts assertions by the authors that the activities of F were perceived in Egypt as missionary work; nor did it accept that F was detained and tortured, and that the two authors were at particular risk in Egypt prior to their departure therefrom. The authors also failed to persuasively explain in their submissions why they would be unable to receive protection from the authorities upon their return to Egypt. Hence, we do not find in the record before us any reason to regard the conclusions of the Immigration Service and Board as clearly arbitrary, manifestly erroneous or a denial of justice. As a result, we are of the view that the majority on the Committee failed to properly apply the standard of review it set out to apply, and did not follow the long-held position, according to which the Committee does not serve as "a fourth instance competent to re-evaluate findings of fact".[2]

3. In past cases in which the decision of State organs to deport an individual was found by the Committee to run contrary to the Covenant, the Committee sought to base its position on inadequacies in the domestic decision-making process, such as failure to properly take into account available evidence or the specific rights of the author under the Covenant,[3] serious procedural flaws in the conduct of the domestic review proceedings,[4] or the inability of the State party to provide a reasonable justification for its decision.[5] In the present case, the majority on the Committee points only to one possible procedural flaw in the asylum proceedings in Denmark, namely the alleged failure of the State party to refer F to a medical examination. We disagree with this aspect of the majority's analysis as well.

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[1] Letter to the authors dated 26 June 2014 from the Immigration Service, p. 3.

[2] See, e.g., communication No. 1138/2002, *Roder and Röder v. Germany*, decision adopted on 24 March 2004, para. 8.6.

[3] See e.g., communication No. 1544/2007, *Hamida v. Canada*, Views adopted on 18 March 2010, at paras. 8.4-8.6.

[4] See, e.g., communication No. 1908/2009, *X v. Republic of Korea*, Views adopted on 25 March 2014, para. 11.5.

[5] See, e.g., communication No. 1222/2003, *Byahuranga v. Denmark*, Views adopted on 1 November 2004, paras. 11.3-11.4.

4. Although we agree that the State party should, generally speaking, resort more frequently to medical and psychological examinations to verify asylum claims,[6] we cannot conclude that the position of the State party — according to which, in the particular circumstances of the case, such an examination was not warranted — is unreasonable. We note in this regard that the authors did not explain how a medical examination could have cured the very serious credibility problems attached to their claims relating to the circumstances under which F was allegedly physically abused, which lay at the very heart of their asylum claim. We also note that the authors did not provide any medical documentation supporting the claims of physical abuse (see footnote 2).

5. In the light of these factors, we do not consider it well established that the proceedings suffered from a procedural defect that should lead us to doubt the outcome of the asylum process, or its fairness.

[6] See CCPR/C/DNK/CO/6, paras. 33-34.